

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2005-390-C - ORDER NO. 2006-391

JUNE 19, 2006

IN RE: Application of Palmetto Utility Protection Service, Inc. for Assignment of the 811 Abbreviated Dialing Code in South Carolina	) ORDER GRANTING ) APPLICATION TO ) IMPLEMENT THE 811 ) ABBREVIATED ) DIALING CODE
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This matter comes before the Public Service Commission of South Carolina (“Commission”) on the Application of the Palmetto Utility Protection Service (“PUPS” or “Applicant”) to implement the 811 abbreviated dialing code in South Carolina as ordered by the Federal Communications Commission’s (“FCC”) *Sixth Report and Order* in CC Docket No. 92-105, FCC 05-59, released March 14, 2005. In the *Sixth Report and Order*, the FCC designated 811 as the nationally abbreviated dialing code to be used by state one-call notification systems for providing advance notice of excavation activities to underground facility operators in compliance with the federal Pipeline Safety Act, 49 U.S.C. § 60129, 47 C.F.R. Part 52, and the South Carolina Underground Utility Damage Prevention Act, S.C. Code Ann. § 58-35-10. The federally mandated effective date of the 811 service is April, 2007.

On December 21, 2005, the Commission’s Docketing Department instructed PUPS to publish, one time, a Notice of Filing and Hearing in newspapers of general circulation in the areas of the state affected by PUPS request to implement the dialing code. The purpose of the Notice of Filing and Hearing was to inform interested parties of

PUPS' request and the manner and time in which to file appropriate pleadings for participation in the proceeding. On January 17, 2006, PUPS complied with this instruction and provided proof of publication of the Notice of Filing and Hearing to the Commission.

A hearing was convened on April 26, 2006, in the offices of the Commission in Columbia, South Carolina. At the hearing, PUPS was represented by Bonnie D. Shealy, Esquire. Intervenors at the hearing included the Office of Regulatory Staff, represented by Nanette S. Edwards, Esquire, BellSouth Telecommunications, Inc., represented by Patrick W. Turner, Esquire, Verizon Communications, Inc., represented by C. Jo Anne Wessinger Hill, Esquire, and the South Carolina Telephone Coalition, represented by Margaret M. Fox, Esquire. Intervening parties not present at the hearing include CELLCO Partnership d/b/a Verizon Wireless, represented by John M.S. Hoefer, Esquire, and United Telephone Company of the Carolinas, represented by Scott Elliott, Esquire.

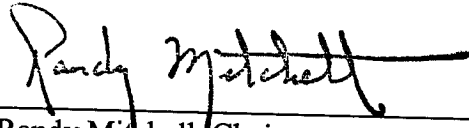
The main issue during the hearing concerned the date that PUPS seeks tariff filings from the intervenors. PUPS requires knowledge of the carriers' charges in providing the 811 service to determine its cost during the budgeting process for the next fiscal year. In its prefiled testimony, submitted on April 19, 2006, it claimed to need this information prior to June 30, 2006, and requested the companies make their tariff filings no later than May 15, 2006. Intervenors expressed concerns about the shortness of the requested tariff deadline. At the hearing, James Glyn Smith, Executive Director of PUPS, testified that PUPS would suffer no adverse consequences if tariffs were filed after the requested May 15, 2006 deadline so long as cost pricing information was received prior

to June 30, 2006. Nevertheless, Smith stated concern that if cost pricing information was drastically different from the later filed tariffs, then the pricing information would be unhelpful in budgeting. BellSouth's witness Kathy K. Blake testified that cost price information could be provided by June 30, 2006.

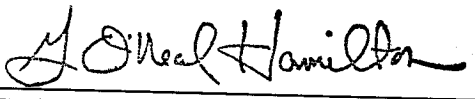
Based upon the pleadings and the evidence presented at the hearing, we grant PUPS's request to implement the 811 abbreviated dialing code. In order to implement this service, telecommunications utilities must provide PUPS with their best estimate of prices to be charged as soon as possible but no later than June 30, 2006. Furthermore, all telecommunications utilities shall file tariffs for the 811 service in sufficient time to meet the technical implementation for a project of this magnitude by the federally mandated deadline. In accomplishing this requirement, the Commission encourages all telecommunications utilities to work with PUPS to alleviate budgeting problems associated with implementing the 811 dialing code.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
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Randy Mitchell, Chairman

ATTEST:

  
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G. O'Neal Hamilton, Vice Chairman

(SEAL)